

TREATY SERIES, No. 515

CONVENTION

BETWEEN

THE UNITED STATES AND SWISS
CONFEDERATION

ARBITRATION

SIGNED AT WASHINGTON, FEBRUARY 29, 1908

RATIFICATION ADVISED BY THE SENATE, MARCH 6, 1908

RATIFIED BY THE PRESIDENT, MAY 29, 1908

RATIFIED BY SWISS CONFEDERATION, OCTOBER 13, 1908

RATIFICATIONS EXCHANGED AT WASHINGTON, DECEMBER 23, 1908

PROCLAIMED, DECEMBER 23, 1908

WASHINGTON

GOVERNMENT PRINTING OFFICE

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and the Swiss Confederation providing for the submission to arbitration of all questions of a legal nature, or relating to the interpretation of treaties, which may arise between the two countries and which it may not have been possible to settle by diplomacy, was concluded and signed by their respective Plenipotentiaries at Washington, on the twenty-ninth day of February, one thousand nine hundred and eight, the original of which Convention, being in the English and French languages is word for word as follows:

The Government of the United States of America and the Government of the Swiss Confederation, signatories of the Convention for the pacific settlement of international disputes, concluded at The Hague on the 29th July, 1899;

Taking into consideration that by Article XIX of that Convention the High Contracting Parties have reserved to themselves the right of concluding Agreements, with a view to referring to arbitration all questions which they shall consider possible to submit to such treatment;

Have authorized the Under-signed to conclude the following arrangement:

ARTICLE I.

Differences which may arise of a legal nature, or relating to the interpretation of treaties existing between the two Contracting Parties, and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th July, 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of

Le Gouvernement des Etats-Unis d'Amérique et le Gouvernement de la Confédération suisse, signataires de la Convention pour le règlement pacifique des conflits internationaux conclue à La Haye le 29 juillet 1899;

Considérant que, par l'article XIX de cette Convention, les Hautes Parties contractantes se sont réservé le droit de conclure des Accords en vue du recours à l'arbitrage dans tous les cas qu'elles jugeront possible de lui soumettre;

Ont autorisé les soussignés à conclure l'arrangement suivant:

ARTICLE I.

Les différends d'ordre juridique ou relatifs à l'interprétation des Traités existant entre les deux Parties contractantes, qui viendraient à se produire entre elles, et qui n'auraient pu être réglés par la voie diplomatique, seront soumis à la Cour permanente d'arbitrage établie par la Convention du 29 juillet 1899 à La Haye, à la condition, toutefois, qu'ils ne mettent en cause ni les intérêts vitaux, ni l'indépendance ou l'honneur des

the two Contracting States, and do not concern the interests of third Parties.

ARTICLE II.

In each individual case the High Contracting Parties, before appealing to the Permanent Court of Arbitration, shall conclude a special Agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof, and on the part of Switzerland, by the Federal Council of the Swiss Confederation, with the advice and consent of the Federal Assembly.

ARTICLE III.

The present Convention is concluded for a period of five years, dating from the day of the exchange of the ratifications.

ARTICLE IV.

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof; and by the Government of the Swiss Confederation in accordance with its constitution and laws.

The ratifications of this Convention shall be exchanged at Washington as soon as possible, and it shall take effect on the date of the exchange of its ratifications.

Done in duplicate in the English and French languages, at Washington, this twenty-ninth day of February, in the year 1908.

ELIHU ROOT [L. S.]
L. VOGEL [L. S.]

deux Etats contractants et qu'ils ne touchent pas aux intérêts de tierces Puissances.

ARTICLE II.

Dans chaque cas particulier, les Hautes Parties contractantes, avant de s'adresser à la Cour permanente d'arbitrage, signeront un compromis spécial déterminant nettement l'objet du litige, l'étendue des pouvoirs des arbitres et les délais à observer en ce qui concerne la constitution du tribunal arbitral et les différentes phases de la procédure. Il est entendu que de tels compromis spéciaux seront, de la part des Etats-Unis, conclus par le Président des Etats-Unis, avec l'avis et le consentement du Sénat, et, de la part de la Suisse, par le Conseil fédéral de la Confédération suisse, avec l'avis et le consentement de l'Assemblée fédérale.

ARTICLE III.

La présente Convention est conclue pour une durée de cinq ans, à partir du jour de l'échange des ratifications.

ARTICLE IV.

La présente Convention sera ratifiée par le Président des Etats-Unis, après y avoir été autorisé par le Sénat américain, et par le Gouvernement de la Confédération Suisse conformément aux prescriptions de la constitution et des lois suisses.

Les ratifications de cette Convention seront échangées à Washington aussitôt que faire se pourra et elle entrera en vigueur le jour de l'échange des ratifications.

Ainsi fait à Washington, en double expédition, en langues anglaise et française, le vingt-neuf février de l'an 1908.

And whereas, the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the twenty-third day of December, one thousand nine hundred and eight;

Now, therefore, be it known that I, THEODORE ROOSEVELT, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-third day of December in the year of our Lord one thousand nine hundred and eight, [SEAL] and of the Independence of the United States of America the one hundred and thirty-third.

THEODORE ROOSEVELT

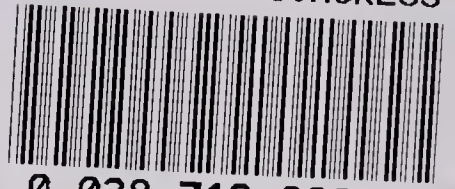
By the President:

ELIHU ROOT

Secretary of State.

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